

FACT SHEET



INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

Recycling Activity Reporting Reporting Requirements of HEA 1183 Office of Compliance Support

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Description:

- The Indiana Department of Environmental Management (IDEM) makes a wide range of information available to industries and citizens regarding new, or updates to, state regulations. During the 2014 legislative session, legislators adopted House Enrolled Act No. 1183 (HEA 1183) requiring recyclers to submit reports to IDEM on the amount and type of recyclables they process from Indiana's municipal waste stream. The purpose of this fact sheet is to summarize mandatory reporting requirements under the statute, as well as voluntary reporting procedures, for shipments of recyclables.

- *Who is REQUIRED to report?*

Reporting is required for recyclers who own or operate a recycling facility or make arrangements for shipments of recyclables to market destinations. By definition, a recycler is defined as a person who recycles materials generated by more than one person and includes the following:

- 1) A **broker** (an in-state or out-of-state company) who arranges for shipment of recyclables from in-state commercial generators to Indiana recycler facilities, Indiana manufacturers, or out-of-state facilities. This includes the brokering of recyclables such as cardboard and plastics hauled from Indiana retail stores, manufacturers and commercial facilities to market destinations.
- 2) An **owner or operator** of an in-state material recovery facility (MRF) or transfer station with operations for consolidating, sorting, shredding, and/or baling of recyclables, as derived from municipal waste via single stream, source separated routes or other collection methods. This includes:
 - a) Solid Waste Management Companies;
 - b) Commercial businesses that collect recyclables such as independent hauling contractors, and;
 - c) Government entities that collect recyclables.
- 3) A **Solid Waste Management District (SWMD)** established under IC 13-21 or 13-9.5 (before its repeal).

- *Who is NOT required but strongly encouraged to report?*

Entities include:

- 1) Retail, manufacturing, and commercial facilities, if they directly ship recyclables such as cardboard and plastics to in-state or out-of-state market destinations, without going through a broker.
- 2) Manufacturers who offer collection services for recyclables from Indiana generators. For example, a pulp and paper mill that uses company trucks for collecting recycled paper/cardboard to supply raw materials in production.
- 3) Government (cities, towns, and counties) that contract with a private company to collect recyclables.

- 4) Institutions (universities and not-for-profits) that contract with a private company to collect recyclables.

- *What will they report?*

A recycler must report in tons the following types of recyclable materials that they ship to in-state recycler facilities, in-state manufacturers, or out-of-state destinations. Recyclables are initially recovered from Indiana's municipal waste* via single stream (mixed recyclables), source separated routes, or other collection methods. They include:

- 1) Glass
- 2) Metal, including white goods (ferrous)
- 3) Metal (nonferrous)
- 4) Paper and cardboard (all grades)
- 5) Plastic and plastic products
- 6) Single stream recyclable materials.
- 7) Any other distinct type of recyclable material not specified in 1) through 6)

* By definition, municipal waste includes any garbage, refuse, industrial lunch room waste, office waste, or other similar material that results from the operation of residential, municipal, commercial, or institutional establishments and community activities.

- *What is excluded?*

- 1) Items and textiles at reuse stores
- 2) Household Hazardous Waste (HHW)
- 3) Recyclables sent for disposal at landfills or incinerators
- 4) Recyclables collected from out-of-state sources
- 5) E-waste, waste tires, and compost/mulch

- *How will they report?*

Recyclers will be required to submit to IDEM the form, *Recycling Activity Report for Recycler Facility*, available on IDEM's website. An on-line reporting system is expected to be available in 2015.

Reporting information requested will include:

- 1) Name and location of the recycler's establishment
- 2) Principal Business Activity
- 3) Type of Recycling Operation
- 4) Shipments, in tons, of each type of recyclable material that was transported from the reporting recycler's establishment (or if a recyclable materials broker, that was transported or delivered by arrangement of the recycler). The destination of recycler shipments must be specified as follows:
 - a) Recycler Facility: This refers to a recycling facility such as a MRF with intermediate consolidating, sorting, shredding, or baling operations. The reporting includes the location of the receiving recycler facility (name/city/state).
 - b) Brokers: This refers to shipments transported through a broker to final destinations. The reporting includes the principal address of the broker (name/city/state).
 - c) Manufacturer / end user: This refers to a production facility of basic products that uses the recyclables as a raw material without further offsite recycling. Examples include glass container mills, glass processors for furnace ready cullet, foundries, steel mini-mills, smelting and refining operations, plastic processors for flake and pellets, and pulp and paper mills. The reporting includes the location of the receiving manufacturer / end user (state or foreign country).

Owners or operators of in-state recycling facilities such as solid waste management companies must submit a report for each recycling facility, for example MRF or transfer station, that collects and ships recyclables to market destinations.

SWMDs and brokers should submit only one report for their principal location that gives the total shipments of recyclables by material type and destination. Examples include:

- 1) SWMDs that own or operate a MRF must report the amount of recyclables shipped to in-state or out-of-state destinations. They must also report if they make arrangements (for example, through a contract) for shipment of recyclables from drop-off facilities or generators to Indiana manufacturers or out-of-state MRFs. In order to evaluate their total impact on recycling, they may also report arrangements they make for shipment of recyclables to in-state Indiana Recycler Facilities. The total tonnage from all their activities would be listed on their Recycling Activity Report for each material by destination.
- 2) Brokers should aggregate the tonnage of recyclables from all of their in-state brokered facilities. The total tonnage would be listed on their Recycling Activity Report for each material by destination.

Volunteer entities such as retail stores with multiple locations may report recyclables as arranged for pick-up by waste haulers or brokers from the recycler's establishment. The total tonnage from all their activities would be listed on their Recycling Activity Report for each material by destination.

- *When will they report?*

A recycler must report on recycling activities conducted during a calendar year (January 1 – December 31). (*Legislative action taken in 2015 amended the reporting timeframe from fiscal year to calendar year.*) Recyclers can submit a recycling activity report on either an annual basis or on a quarterly basis. The reports are due to IDEM within 60 days or 30 days, respectively, after the selected reporting period.

Environmental Impacts:

A new state goal for a 50 percent recycling rate of municipal waste is established.

Regulations:

The statute is found in the Indiana Code at IC 13-20-25. The full text can be viewed online at <http://iga.in.gov/legislative/laws/2014/ic/titles/013/articles/020/chapters/025/>.

House Enrolled Act 1350, which amends the statute to change the reporting period to a calendar year basis, can be viewed at <http://iga.in.gov/legislative/2015/bills/house/1350#document-041010ef>.

IDEM's Role:

IDEM will provide a uniform report on the agency's website that summarizes the previous calendar year information from the Recycling Activity Reports.

More Information:

For more information about Indiana's recycling measurement, visit *Recycle Indiana* at www.recycle.IN.gov. Specific questions about the reporting requirements and procedures covered in this fact sheet, as well as storage requirements addressed in the statute, may be directed to IDEM staff at (317) 232-8172 or (800) 451-6027, ext. 2-8172.